

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

Senate Bill 97 (Senator Baker)
Judicial Proceedings

**Drivers' Licenses - Graduated Licensing System - Provisional License
Restrictions**

This bill requires the Motor Vehicle Administration (MVA) to place a restriction on each provisional driver's license that prohibits the licensee from driving a vehicle if the driver and each passenger are not restrained by a seat belt unless a medical exception applies.

The current penalties for violating the requirements of the graduated license system (GLS) would apply. Individuals who hold a provisional license issued before the effective date of the bill are not subject to the provisions of the bill.

Fiscal Summary

State Effect: Potential minimal increase in Transportation Trust Fund (TTF) expenditures for administrative hearings and computer programming. Minimal increase in general fund revenues from increased violations of provisional license restrictions (applicable under the Maryland Vehicle Law).

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: All drivers and passengers are required to wear seat belts in the front seat of a vehicle. Additionally, any passenger under age 16, regardless of where seated, must be restrained by either a seat belt or child safety seat.

There are no seat belt restrictions on a provisional license issued under the GLS. For the first offense of a GLS violation, the driver may have to attend a driver improvement program. The MVA may suspend the offender's provisional license for up to 30 days for the second offense, and may suspend or revoke the offender's provisional license for up to 180 days for a third or subsequent offense.

Background: The General Assembly established the provisional drivers' licensing system in 1998 (HB 527, Chapter 483) and the program became effective July 1, 1999. The proposed seat belt restrictions were recommended by the Graduated Licensing Initiative Work Group that helped developed the GLS. However, the restrictions were not included in the final version of HB 527. According to the National Conference of State Legislatures, 37 states have enacted some form of a graduated license.

State Revenues: The MVA advises that approximately 750 GLS violations occur each year. There is a \$50 fine (established by the District Court) for driving a vehicle in violation of a license restriction. General fund revenues could increase to the extent that more violations occur and more tickets are issued.

State Expenditures: For the first offense of a GLS violation, the driver may have to attend a driver improvement program; second and third violations can trigger a suspension. Suspended licensees can request an administrative hearing to protest the suspension. Such hearings cost \$92 to administer. Other expenses include postage for notifying offenders of suspensions or referrals to the driver improvement program and \$50,000 to modify the computer system to reflect new restrictions on provisional licenses. To the extent that the number of hearing requests increases, TTF expenditures will increase. Legislative Services notes that other bills may also require computer programming changes and that economies of scale can be realized. Further, DLS advises that the increased computer expenditure is simply an estimate and the MVA may be able to handle the changes with either less money than it estimates or with existing resources.

Additional Information

Prior Introductions: A substantially similar bill was introduced as HB 127 in the 2000 session and passed the House. It was not reported from the Senate Judicial Proceedings Committee.

Cross File: HB 232 (Delegate Mandel, *et al.*) – Commerce and Government Matters.

Information Source(s): Maryland Department of Transportation (Motor Vehicle Administration), Office of Administrative Hearings, District Court of Maryland, Department of Legislative Services

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